

February 19, 2002

STUDENT INDICTED FOR ANTHRAX THREAT AT KISHWAUKEE COLLEGE

ROCKFORD – PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois; THOMAS J. KNIER, Special Agent-in-Charge of the Chicago Division of the Federal Bureau of Investigation; RONALD G. MATEKAITIS, DeKalb County State's Attorney; and ROGER A. SCOTT, DeKalb County Sheriff, today made the following announcement:

A federal grand jury in Rockford, Illinois today returned an indictment charging **TIMOTHY V. KATO**, 23 (DOB: 08/10/78), 502 Lincoln Highway, DeKalb, Illinois, with two counts of threatening the use of anthrax. The indictment follows the filing of a federal complaint against Kato on February 13, 2002. Originally charged in DeKalb County with the state offense of disorderly conduct, the federal indictment resulted from the request of and in cooperation with the DeKalb County State's Attorney, DeKalb County Sheriff, and the President of Kishwaukee College, Dr. David Louis.

The indictment returned today and the complaint allege that Kato prepared two threatening letters in December 2001. The complaint alleges that both letters contained a white powdery substance, information printed from the internet regarding anthrax, and typed notes threatening the recipients, two professors at the Kishwaukee College, that they had been exposed to anthrax. According to the complaint, Kato hand-delivered one letter to the college mailbox of a professor from whose class Kato had withdrawn, and the second letter to the mailbox of a professor from whom Kato was receiving a failing grade. After the first letter was discovered on January 7, 2002, Kishwaukee College was evacuated and closed for the day until lab results confirmed the white powder was not anthrax as threatened. The second letter was recovered on January 11, 2002

If convicted of the crimes charged in the indictment, Kato faces a maximum penalty of life imprisonment. The District Court, however, would determine the appropriate sentence to be imposed, guided by the United States Sentencing Guidelines.

Kato has been held in custody since his arrest on February 14, 2002, by FBI agents and officers from the DeKalb County Sheriff's Office. A bond hearing and arraignment on the indictment are scheduled for February 20, 2002, at 11:00 a.m. before Magistrate Judge P. Michael Mahoney in the federal courthouse in Rockford.

The case was investigated by Special Agents of the Federal Bureau of Investigation and the DeKalb County Sheriff's Office. It will be prosecuted in United States District Court by Assistant United States Attorney JOHN G. McKENZIE.

Members of the public are reminded that an indictment is only a charge and is not evidence of guilty. The defendant is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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